

FORM PTO-1390  
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371**

MERCK-2957

U.S. APPLICATION NO. (If known, see 37 CFR §1.5)

**10/518503**

INTERNATIONAL APPLICATION NO.

PCT/EP2003/004434

INTERNATIONAL FILING DATE

28 April 2003 (28.04.2003)

PRIORITY DATE CLAIMED

19 June 2002 (19.06.2002)

TITLE OF INVENTION

THIAZOLE DERIVATIVES AS PHOSPHODIESTERASE IV INHIBITORS

APPLICANT(S) FOR DO/EO/US

Hans-Michael EGGENWEILER, et al.

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 C.F.R. §§1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
 ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

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17 ☒ The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR §1.492 (a) (1) - (5)):**

International preliminary examination fee paid to USPTO (37 CFR §1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....	\$100.00
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**ENTER APPROPRIATE BASIC FEE AMOUNT=**

☐ 20      ☐ 30

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	29 - 20 =	9	x	\$ 50.00	\$450.00
Independent claims	2 - 3 =	0	x	\$ 200.00	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	\$ 280.00	

**MULTIPLE DEPENDENT CLAIM(S) (if applicable)**

<b>TOTAL OF ABOVE CALCULATIONS =</b>	<b>\$1,450.00</b>
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Reduction of 1/2 for filing by small entity, if applicable. A Verified Small Entity Statement must also be

<b>SUBTOTAL =</b>	<b>\$1,450.00</b>
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Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).

<b>TOTAL NATIONAL FEE =</b>	<b>\$1,450.00</b>
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Fee for recording the enclosed assignment (37 C.F.R. §1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§3.28, 3.31). \$40.00 per property.

**TOTAL FEES ENCLOSED = \$1,450.00**

Amount to be refunded:

charged:

- a. ☒ A check in the amount of \$1,450.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 13-3402 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 C.F.R. §§1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. §1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO: Customer Number 23,599**

**SIGNATURE**

Anthony J. Zelano

NAME \_\_\_\_\_

Filed: December 20, 2004

27,969

REGISTRATION NUMBER